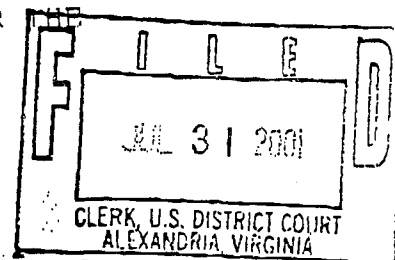


IN THE UNITED STATES DISTRICT COURT FOR
EASTERN DISTRICT OF VIRGINIA
Alexandria Division



UNITED STATES OF AMERICA,)

v.)

CHRISTOPHER ANDARYL WILLS)

Criminal No. 99-396-A

ORDER

For the reasons stated in open court, the following defense motions are DENIED: 1) Motion for Access to Key Prosecution Witness; 2) Motion to Compell [sic] Access to Key Prosecution Witness; 3) Renewed Motion to Dismiss for Insufficiency of Offense Charged; 4) Motion to Dismiss Barring Relitigation and Further Prosecution Under the Principles of ResJudicata/Collateral Estoppel [sic] and the Double Jeopardy Clause of the Fifth Amendment of the United States Constitution and Pursuant to the Law of the Case Doctrine and/or in the Alternative Renewed Motion to Dismiss for Insufficiency of Offense Charged, as well as the pro se defendant's oral request to appeal our denial of this motion; 5) Renewed Motion to Strike from the Indictment; 6) Renewed Motion to Dismiss for Prosecutorial Misconduct and Abuse of Grand Jury Proceedings; 7) Motion to Dismiss Indictment as Insufficient and Defective for Failure to Comply with Fed. R. Crim. P. 7(c) and Provisions of the Fifth and Sixth Amendments' Indictment Clause and Notice Guarantees; 8) Motion for Exclusion and Limine [sic] Pursuant to Rule 801(c) Federal Rules of Evidence; 9) Motion for Exculpatory Evidence because it is MOOT; 10) Defendant's Motion to Strike

Amended Notice of Intent to Seek Death Penalty; 11) Motion to Dismiss the Section 1201 Offense Charged in Count One of the Superceding Indictment as Unconstitutionally Overbroad, Vague, and Ambiguous; 12) Defendant's Motion to Dismiss the Section 2261 Offense Charged in Count Two of the Superceding Indictment as Unconstitutionally Overbroad and Vague; and 13) Defendant's Letter of July 9, 2001 which we treat as a motion to deny the use of the stun belt.

Defendant's Renewed Motion for Disclosure and Limine Pursuant to Rule 404(b) Federal Rules of Evidence is GRANTED; and it is hereby

ORDERED that the Government serve its 404(B) Notice by close of business Monday, August 6, 2001.

Defendant's Motion for Early Production of Jencks/Rule 26.2 Statement is GRANTED and Motion for Immediate Production of Government's Witness List are GRANTED in part and DENIED in part; and it is hereby

ORDERED that the Government provide defendant's standby counsel with all Jencks material and its witness list (which need only provide the county or city of residence) by close of business Monday, August 6, 2001; and it is further

ORDERED that standby counsel may not divulge to defendant any identifying information about any of the Government's witnesses until further Order of the Court.

Defendant's Motion for Redaction and Sanitization and Limine [sic] Pursuant to Rule 801(c) Federal Rules of Evidence and the

Sixth Amendment to the United States Constitution is DENIED WITHOUT PREJUDICE; and it is hereby

ORDERED that the Government file with the Court by close of business Friday, August 10, 2001, the designated portions of the audio tapes it intends to introduce into evidence with the corresponding transcripts; and it is further

ORDERED that the defendant counter-designate the portions of the audio tapes he intends to introduce into evidence with the corresponding transcripts by close of business Friday, August 24, 2001; and it is further

ORDERED that the Government and its agents ensure that the quality of the audio tapes is sufficient so that the audio evidence can be clearly heard in open court, without the use of the infra-red system.

The Motion of the United States for Discovery is GRANTED, and it is hereby

ORDERED that defendant produce forthwith all information and other materials pursuant to Rule 16 of the Federal Rules of Criminal Procedure and the discovery order entered in this case on November 22, 1999; and it is further

ORDERED that standby counsel discuss with defendant any additional suggested changes to the juror questionnaire and relay those suggestions to the Court and the Government by close of business Tuesday, July 31, 2001. The Court will then issue an order explaining the final form of the juror questionnaire and the procedures for jury selection; and it is further

ORDERED that the defendant must serve clear and final notice to the Government regarding any and all expert witnesses he intends to call at any stage of the trial and must serve any follow-up on his previously-filed Notice of Intent to Rely on Evidence of Mental Condition by close of business Monday, August 6, 2001, and defendant must file any and all supplements to his expert reports by close of business Monday, August 27, 2001; and it is further

ORDERED that all specific motions in limine, and any other remaining pre-trial motions, will be heard on Tuesday, September 4, 2001. The time for that hearing will be set nearer to that date. No jurisdictional motions or other motions attacking the sufficiency of the indictment will be heard on that date; and it is further

ORDERED that the parties file their exhibits and proposed jury instructions by close of business Monday, August 27, 2001. Any objections must be filed by close of business Tuesday, September 4, 2001.

The Clerk is directed to forward copies of this Order to defendant, pro se, defendant's standby counsel, Alan H. Yamamoto, Esq. and Jonathan Shapiro, Esq., and AUSAS Jim Trump and Kevin V. Di Gregory.

Entered this ^{II}31 day of July, 2001.

/S/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia